

By Senator Villalobos

38-1201-04

See HB 289

1 A bill to be entitled
2 An act relating to public K-12 educational
3 instruction; amending s. 1003.42, F.S.;
4 requiring physical education on a full-year
5 basis for students in grades 1 through 8;
6 requiring development of a physical education
7 program; amending s. 1003.43, F.S.; increasing
8 physical education credit requirements and
9 decreasing elective credit requirements for
10 high school graduation; requiring the State
11 Board of Education to adopt rules for
12 satisfaction of certain credit requirements;
13 providing an effective date.

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15 WHEREAS, the number of overweight children in the
16 United States has doubled in the past two decades creating a
17 generation at much higher risk for cardiovascular disease,
18 diabetes, and other serious health problems, and

19 WHEREAS, the physical well-being of students has a
20 direct impact on their ability to achieve academically and
21 proof now exists that students achieve best when they are
22 physically fit, and

23 WHEREAS, physical education classes have been cut back
24 or eliminated in many schools to provide more preparation time
25 for standardized testing, and fewer than one in ten schools
26 nationwide provide daily physical education, and

27 WHEREAS, the 1996 Surgeon General's Report on Physical
28 Activity and Health recommended that all students in
29 kindergarten through grade 12 receive daily, quality physical
30 education, and

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1 WHEREAS, structured physical activity significantly
2 improves mental focus and concentration levels in young
3 children, and children who spend more time in daily physical
4 education show higher levels of academic success, and

5 WHEREAS, developmentally appropriate physical activity
6 helps young people develop skills important to academic
7 performance, such as self-discipline, teamwork, and
8 leadership, and also increases self-esteem and decreases
9 anxiety and stress in adolescents, and

10 WHEREAS, physical education classes offer unique
11 instruction related to sportsmanship, skill development, and
12 fitness and concomitantly provide social, developmental,
13 cognitive, emotional, and health benefits, NOW, THEREFORE,

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15 Be It Enacted by the Legislature of the State of Florida:

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17 Section 1. Paragraph (s) is added to subsection (2) of
18 section 1003.42, Florida Statutes, to read:

19 1003.42 Required instruction.--

20 (2) Members of the instructional staff of the public
21 schools, subject to the rules of the State Board of Education
22 and the district school board, shall teach efficiently and
23 faithfully, using the books and materials required, following
24 the prescribed courses of study, and employing approved
25 methods of instruction, the following:

26 (s) Physical education on a full-year basis to
27 students in grades 1 through 8. Each district school board
28 shall develop a physical education program that stresses
29 physical fitness and encourages healthy, active lifestyles
30 which shall be submitted to the department for approval.
31 Participation in an organized sport provided through the

1 school or by an organization outside of school with
2 documentation of participation shall be permitted as part of
3 the physical education program.

4 Section 2. Paragraphs (j) and (k) of subsection (1)
5 and paragraph (a) of subsection (6) of section 1003.43,
6 Florida Statutes, are amended to read:

7 1003.43 General requirements for high school
8 graduation.--

9 (1) Graduation requires successful completion of
10 either a minimum of 24 academic credits in grades 9 through 12
11 or an International Baccalaureate curriculum. The 24 credits
12 shall be distributed as follows:

13 (j)1. One credit in physical education to include
14 assessment, improvement, and maintenance of personal fitness.
15 Participation in an interscholastic sport at the junior
16 varsity or varsity level, for two full seasons, shall satisfy
17 the one-credit requirement in physical education if the
18 student passes a competency test on personal fitness with a
19 score of "C" or better. ~~The competency test on personal~~
20 ~~fitness must be developed by the Department of Education.~~A
21 district school board may not require that the one credit in
22 physical education be taken during the 9th grade year.

23 2. For students entering the 9th grade in the
24 2004-2005 school year and thereafter, four credits in physical
25 education to include assessment, improvement, and maintenance
26 of personal fitness and encouragement of healthy, active
27 lifestyles. According to rules adopted by the State Board of
28 Education pursuant to ss. 120.536(1) and 120.54, participation
29 in an interscholastic sport at the junior varsity or varsity
30 level or in an organized sport provided by an organization
31 outside of school with documentation of participation shall

1 satisfy the credit requirements, or portions thereof, in
2 physical education if the student passes a competency test on
3 personal fitness with a score of "C" or better.

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5 The competency test on personal fitness must be developed by
6 the Department of Education. Completion of one semester with a
7 grade of "C" or better in a marching band class, in a physical
8 activity class that requires participation in marching band
9 activities as an extracurricular activity, or in a Reserve
10 Officer Training Corps (R.O.T.C.) class a significant
11 component of which is drills shall satisfy a one-half credit
12 requirement in physical education. This one-half credit may
13 not be used to satisfy the personal fitness requirement or the
14 requirement for adaptive physical education under an
15 individual educational plan (IEP) or 504 plan.

16 (k) Eight and one-half elective credits. For students
17 entering the 9th grade in the 2004-2005 school year and
18 thereafter, five and one-half elective credits.

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20 District school boards may award a maximum of one-half credit
21 in social studies and one-half elective credit for student
22 completion of nonpaid voluntary community or school service
23 work. Students choosing this option must complete a minimum of
24 75 hours of service in order to earn the one-half credit in
25 either category of instruction. Credit may not be earned for
26 service provided as a result of court action. District school
27 boards that approve the award of credit for student volunteer
28 service shall develop guidelines regarding the award of the
29 credit, and school principals are responsible for approving
30 specific volunteer activities. A course designated in the
31 Course Code Directory as grade 9 through grade 12 that is

1 taken below the 9th grade may be used to satisfy high school
2 graduation requirements or Florida Academic Scholars award
3 requirements as specified in a district school board's student
4 progression plan. A student shall be granted credit toward
5 meeting the requirements of this subsection for equivalent
6 courses, as identified pursuant to s. 1007.271(6), taken
7 through dual enrollment.

8 (6) The Legislature recognizes that adult learners are
9 unique in situation and needs. The following graduation
10 requirements are therefore instituted for students enrolled in
11 adult general education in accordance with s. 1004.93 in
12 pursuit of a high school diploma:

13 (a) The credits ~~one credit~~ in physical education
14 required for graduation, pursuant to subsection (1), are ~~is~~
15 not required for graduation and shall be substituted with
16 elective credits ~~credit~~ keeping the total credits needed for
17 graduation consistent with subsection (1).

18 Section 3. This act shall take effect July 1, 2004.
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